

**COMMITTEE ON EDUCATION AND THE WORKFORCE
[FINAL]**

FULL COMMITTEE MARKUP

April 5, 6, 11, 12, and 13, 2000

**H.R. 4141 – “Education Opportunities To Protect and Invest in Our Nation’s
Students (Education OPTIONS) Act”**

ROSTER OF AMENDMENTS OFFERED

WEDNESDAY, APRIL 5, 2000

| Amdts. | Sponsor | Description | Action Taken | Roll Call |
|--------------------------------|-------------------|---|--|--------------------------|
| <u>1</u> | Chairman Goodling | Amendment in the Nature of a Substitute | Adopted by Voice Vote (voted on April 13) | |
| 2 | Mr. Kildee | Democrat Substitute to H.R. 4141 – continues the administration’s priorities, including school construction, class-size reduction, after school programs, programs under Safe and Drug Free Schools, technology, teacher recruitment and training, and gun programs | Defeated 21 – 27 | <u>1</u> |
| <u>3</u> | Mr. Hoekstra | Changes transferability authorization by raising the amount of program funds LEAs may transfer from 30% to 35% | Adopted by Voice Vote | |
| 4 | Mr. Clay | H.R. 3705, offered as an amendment regarding school construction amending the current law Title XII program authorizing \$1.3 billion in grants and loans | Defeated 19 – 23 | <u>2</u> |
| 5 | Mr. Kildee | Increases authorization for the Reading Excellence Act to \$1 billion and such sums over the next five years | Defeated 19 – 26 | <u>3</u> |
| THURSDAY, APRIL 6, 2000 | | | | |
| 6 | Mr. Clay | Adds the president’s 100,000 teacher program to ESEA and authorizes it at \$2 billion and such sums over 5 years | Defeated 19 – 27 | <u>4</u> |
| 7 | Mrs. McCarthy | Amends Title 18 of the Code to require states to have a background check policy for purchase of firearms at gun shows and to require all guns licensed for sale in the state to have child safety locks | Ruled Not Germane | |
| <u>8</u> | Mr. Norwood | Allows school personnel to discipline a student with a disability who has a weapon at school in the same manner as they would discipline a non-disabled student who has a weapon at school, | Adopted 28 – 17 | <u>9</u> |

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| | | including suspension or expulsion; allows school personnel to cease educational services if that is the policy for non-disabled students | | |
| 9 | Mrs. McCarthy (as amended by Chairman Goodling) | Requires LEAs to use a portion of Title IV of ESEA funds to promote child safety locks | Adopted 26 - 21 | 8 |
| 9A | Mr. Isakson | Second degree amendment to the McCarthy amendment to allow LEAs to use a portion of its Title IV of ESEA funds to promote the benefits of reducing the danger of firearms harming students and school employees | Withdrawn | |
| 9B | Chairman Goodling | Substitute amendment to the McCarthy amendment to allow the LEA to use a portion of Title IV ESEA funds to study the effectiveness of promoting child safety locks with the purpose of reducing the danger of firearms harming students and school employees | Adopted 25 – 21 | 6 |
| TUESDAY, APRIL 11, 2000 | | | | |
| 10 | Mr. Talent | Allows school personnel to discipline a student with a disability who knowingly possesses or uses an illegal drug or commits an aggravated assault or battery at school in the same manner as they would discipline a non-disabled student, including suspension or expulsion; allows school personnel to cease educational services if that is the policy for non-disabled students | Adopted by Voice Vote | |
| 11 | Mrs. McCarthy | Include data collection on gun violence | Adopted by Voice Vote | |
| 12 | Mr. Castle (en bloc) | Allows Title IV, Title VI and Title X of ESEA funds to be used for alternative educational services at the state and local level and requires 30 % of the funds set-aside for the LEA based on need to be spent on alternative educational programs | Adopted by Voice Vote | |
| 13 | Mrs. McCarthy | Allows LEAs which have had a reported expulsion of a student for bringing a firearm to school, to develop a plan with local law enforcement to protect students and school employees against gun violence and may include promoting the benefits of child safety locks | Adopted by Voice Vote | |

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| 14 | Mr. Souder | Adds “parents and legal guardians” to the religious nondiscrimination language in Title IV of ESEA | Adopted by Voice Vote | |
| <i>NOTE: The following amendments were voted on Wednesday, April 12, 2000, unless otherwise indicated</i> | | | | |
| 15 | Ms. Woolsey | Creates a \$50 million program called “Go Girl” | Defeated 21 – 22 | 11 |
| 16 | Mr. Souder | Requires all Safe and Drug-Free School programs, including after-school programs, to have an anti-drug message | Defeated 17 – 28 | 12 |
| 17 | Mr. Scott | Adds current law hate crime provisions and allows the Secretary to make grants to locals for providing assistance to localities most affected by hate crimes | Defeated 23 – 24 | 13 |
| 18 | Mrs. Roukema | Requires states to give special consideration to LEAs in the distribution of local grant funds to LEAs that include mental health services as a component of their drug and violence prevention plan | Adopted 37 – 10 | 14 |
| 19 | Mr. Tierney | Requires an LEA who exercises the authority under IDEA to treat as local funds up to 20 % of the amount they received for part B of IDEA that exceeds the amount they received in the previous fiscal year to spend those additional local funds to provide funding for programs under ESEA, Class Size Reduction, School to Work, and programs addressing the digital divide, school construction, school safety, teacher quality and after school or related education programs authorized under federal, state or local law | Withdrawn | |
| 20 | Mr. Schaffer | Clarifies “private for-profit entities” are eligible to provide services under the Safe and Drug Free Schools programs | Adopted 35 – 12 | 15 |
| 21 | Mrs. McCarthy | Creates a separate \$1 billion program for the 21 st Century Community Learning Centers | Defeated 21 – 25 | 16 |
| 22 | Mr. Souder | Allows LEAs to use Title IV of ESEA funds for increasing academic achievement | Adopted by Voice Vote (voted April 11) | |
| 23 | Mrs. Mink | Creates a new \$3.5 billion program to hire 100,000 new school counselors | Defeated 20 – 25 | 17 |
| 24 | Mr. Schaffer | Requires prior written parental consent before a student participates or receives services provided with Title IV of ESEA funds and requires such consent for each new activity or service | Withdrawn | |

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| 25 | Mr. Tierney | Requires an LEA who exercises the authority under IDEA to treat as local funds up to 20 % of the amount they received for part B of IDEA that exceeds the amount they received in the previous fiscal year to spend those additional local funds to provide funding for programs under ESEA, including programs that address school safety, teacher quality and professional development, before and after school learning opportunities, educational reform and literacy or related education programs authorized under federal, state or local law | Adopted by Voice Vote (voted April 11) | |
| 26 | Mr. Miller | Prohibits state and LEAs from receiving ESEA funds unless 3 rd party contracts involving the collection of student data (including anonymous and aggregate data) require individual written parental permission | Adopted 26 – 20 | 18 |
| 27 | Mr. Hilleary | Nothing in ESEA shall be construed to allow the development of a national data base with personally identifiable information | Adopted by Voice Vote (voted April 11) | |
| 28 | Mrs. Mink | Creates a new \$10 million sexual harassment prevention program | Defeated 22 – 23 | 19 |
| 29 | Mr. Payne | Adds hate-related incidents, racial harassments, and sexual abuse at the local level as factors of need in determining distribution of funds to local school districts for Safe and Drug- Free Schools' funds | Defeated 21 – 24 | 20 |
| 30 | Mr. Andrews | Prohibits cigarette vending machines on school grounds or any school sponsored event | Adopted 47 – 0 | 21 |
| 31 | Mr. Schaffer | Requires LEAs to withdraw a student from Title IV of ESEA funded activities upon written notice from the parent or guardian (allows the parent or guardian to opt the child out of Title IV of ESEA services) | Adopted by Voice Vote (voted April 11) | |
| 32 | Mr. Scott (en bloc) | En bloc amendment regarding sectarian issues -- protection of participants from sectarian worship or proselytization; for purposes of law, receipt of financial assistance shall constitute "receipt of federal aid" | Adopted by Voice Vote (voted April 11) | |
| 33 | Mr. Scott | Deletes "except as otherwise provided in law" in the charitable choice non- | Defeated 21 – 25 | 22 |

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| | | discrimination provisions | | |
| 34 | Mr. Scott | Overrides the current civil rights law exemption for religious organizations with respect to employment positions funded in whole or in part with Title IV ESEA funds | Defeated 18 – 28 | 23 |
| 35 | Mr. Tierney | Creates a new \$25 million program for comprehensive prevention services | Defeated 21 – 26 | 24 |
| 36 | Mr. Wu | In order to receive ESEA funds, a state must have a state law that requires each LEA to have a policy to refer any juvenile who illegally brings a firearm to school and whom a judicial officer finds may be of danger to self or others for detention and/or treatment for not less than 24 hours and be assessed and/or treated by a mental health professional | Withdrawn | |
| 37 | Mr. Fletcher | Allows the Secretary to issue three-year competitive grants under the Telecommunications Program to local public television stations to develop, produce, and distribute K-12, high quality, digital content for use by local schools | Adopted by Voice Vote (voted April 11) | |
| 38 | Mr. Owens (en bloc) | En bloc amendment creating a new \$100 million information technology training program and a new school library media resources program at “such sums” | Defeated 21 – 25 | 25 |
| 39 | Mr. Roemer | Creates a new \$100 million technology curriculum interactive program | Defeated 22- 24 | 26 |
| 40 | Mr. Fattah | Creates a new \$150 million Preparing Tomorrows Teachers to Use Technology program | Withdrawn | |
| 41 | Mr. Hinojosa | Allows Title III of ESEA funds to be used for laptop computers and related assistance | Adopted by Voice Vote (voted April 11) | |
| 42 | Mr. Hinojosa | Creates a new \$100 million Community Technology Centers program | Defeated 21 – 25 | 27 |
| 43 | Mr. Kind | Requires Secretary to award grants for on-line advanced placement courses | Withdrawn | |
| 44 | Mr. Kind | Retains the separate authorization of the Technology Literacy Challenge Fund at \$500 million and reauthorizes the National Programs at \$5 million | Defeated 21 – 27 | 28 |

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| WEDNESDAY, APRIL 12, 2000 | | | | |
| <i>NOTE: The following amendments were voted on Thursday, April 13, 2000, unless otherwise indicated</i> | | | | |
| 45 | Mr. Hoekstra | Allows states to use Title VI of ESEA funds for voluntary public and private parental school choice programs | Defeated 22 – 23 with 1 Member voting Present | 30 |
| 45A | Mr. Scott | Second degree amendment to the Hoekstra #45 striking the section stipulating that choice scholarship funds are considered aid to the student and not aid to the school | Defeated 19 – 24 | 29 |
| 46 | Mr. Andrews | Allows Title X of ESEA, FIE funds to be used for grants for the education of recent immigrants to the U.S. | Adopted by Voice Vote (voted on April 12) | |
| 47 | Mr. Andrews | Creates a new \$2 million Holocaust education federal grant program | Defeated 19 – 26 | 31 |
| 48 | Mr. Andrews | Creates a new pre-kindergarten program at \$210 million, \$210 million, \$1 billion, \$1.5 billion, and \$2.1 billion for FY01, FY02, FY03, FY04, and FY05 | Defeated 19 – 26 | 32 |
| 49 | Mr. Roemer | Strikes the transferability provisions (Title I of the bill) and creates a new \$100 million authorization under Title VI of ESEA for school districts that meet the adequate yearly progress requirements in Title I of ESEA | Defeated 20 – 26 | 33 |
| 50 | Ms. Woolsey | Requires single gender schools and classrooms provide an “equal” educational opportunity rather than a “comparable” education, and that they be consistent with Title IX (gender equity in federal education programs – civil rights law) and the 14 th Amendment of the Constitution | Defeated 20 – 25 | 34 |
| 51 | Mr. Owens | Creates a new \$6 million general assistance program for the U.S. Virgin Islands and Guam and a new \$3 million general assistance program for American Samoa and the Commonwealth of the Northern Mariana Islands | Defeated by Voice Vote | |
| 52 | Mr. Roemer | Reauthorizes the Ellender Fellowship program (Close-Up) at \$4.4 million | Adopted by Voice Vote (voted on April 12) | |
| 53 | Mr. Roemer | Creates a new \$5 million program for future math and science teacher recruitment | Defeated 22 – 24 | 35 |
| 54 | Mr. Roemer | Creates a new \$50 million program to “end postsecondary remediation” | Defeated 20 – 26 | 36 |

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| 55 | Mrs. Mink | Creates a new \$10 million Economic Education program | Defeated by Voice Vote | |
| 56 | Mrs. McCarthy | Allows ESEA Title X, FIE programs to be used for grants to hire and support school nurses | Adopted by Voice Vote (voted on April 12) | |
| 57 | Ms. Sanchez | Creates a \$120 million separate program for “smaller schools within schools” | Defeated 19 – 28 | 37 |
| 58 | Mr. Ford | Creates a new \$15 million program for Arts in Education and Cultural partnerships for at-risk youth | Defeated 21 – 27 | 38 |
| 59 | Mr. Scott | Strikes prayer in school language in the bill and replaces it with the language in the current law under ESEA | Defeated 19 – 28 | 39 |
| 60 | Mr. Scott | Strikes section 14511, Memorials and Memorial Services, Rule of Construction | Defeated 21 – 27 | 40 |
| 61 | Mr. Scott | Requires states to have in effect a policy that provides a child with a disability, who is suspended or expelled, with a free and appropriate public education in an alternative educational setting in order to receive ESEA funds | Defeated 19 – 27 | 41 |
| 62 | Mr. Schaffer | Amends the definition of scientifically based research to include “evaluation using random assignment to different variations to compare the relative effects of the variations” | Adopted by Voice Vote (voted on April 12) | |
| 63 | Mr. Scott | Requires states to have pupil expenditures in the LEAs of the state to be substantially equal in order to receive ESEA funds | Defeated 17 – 29 | 42 |
| 64 | Ms. Woolsey | Creates a new \$50 million “Coordinated Services” program | Defeated 20 – 27 | 43 |
| 65 | Mr. Schaffer | Adds a sense of the Congress regarding “America Achieves Academic Excellence” and repeals the National Education Goals under the Goals 2000 Educate America Act | Adopted by Voice Vote (voted on April 12) | |
| 66 | Mr. Hinojosa | Creates two new Dropout Prevention programs at \$5 million and \$145 million authorization respectively | Defeated 20 – 27 | 44 |
| 67 | Mr. Kind | Amends Title XIII of ESEA, Support and Assistance programs to improve education | Withdrawn | |
| 68 | Mr. Ford | Creates a new \$1 billion school construction program | Defeated 21 – 27 | 45 |

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| THURSDAY, APRIL 13, 2000 | | | | |
| Motion | Mr. Petri | Report the bill to the House with an amendment in the nature of a substitute and with the recommendation that the amendment be agreed to and that the bill as amended do pass | Adopted 25 - 21 | 47 |

NOTE: Roll Call Numbers 5,7,10 and 46 were votes on procedural motions.